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Via Electronic Mail to [dustin.hubbard @dot.gov](mailto:dustin.hubbard@dot.gov)

April 28, 2022

Mr. Dustin Hubbard
Director, Western Region
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
12300 W. Dakota Avenue, Suite 110
Lakewood, Colorado 80228

**RE: Response to PHMSA CPF 5-2022-002-NOPV
Notice of Probable Violation**

Dear Mr. Hubbard,

Harvest Alaska, LLC (Harvest) has received the above referenced proposed Notice of Probable Violation (NOPV) by which PHMSA alleges that Harvest committed probable violations of Title 49, Code of Federal Regulations. The NOPV was generated from a records review as part of an integrated inspection of the Northstar Oil Pipeline.

PHMSA asserts that there are three proposed NOPVs associated with the inspection, two of which are warning items, these are addressed below. Item 3, a Proposed Compliance Order, will follow under separate letter correspondence, before the response deadline.

Item 1. § 195.452 Pipeline integrity management in high consequence areas.

The NOPV states that Harvest failed to adequately analyze all available information regarding the effectiveness of cathodic protection for the subsea portion of the Northstar Oil Pipeline during a 2018 risk assessment.

Harvest acknowledges that the 2018 risk assessment did not document a review of the available Close Interval Survey (CIS) data for the Northstar Oil Pipeline. However, the discussion during the meeting led to the recommendation of performing a CIS in 2022. This recommendation shows that the cathodic protection of the subsea portion was being considered by the group but not adequately documented. Based on available information at the time there was no evidence for increased risk/exposure due to cathodic protection. Specifically, all annual readings and the

previous CIS showed no locations with less than the recommended NACE criteria. Harvest will be sure to document the inclusion of CIS data gathered in the next risk assessment of this pipeline and clearly document that review.

Item 2. § 195.505 Qualification program.

The NOPV states that Harvest failed to ensure that individuals performing offshore atmospheric corrosion inspections were qualified to perform the covered task. It further states that the inspection was conducted by two individuals, neither of whom were qualified to perform the task at the time.

Harvest does not contest this finding, however offers the following considerations.

The subject atmospheric corrosion inspection was conducted by an inspector with an API 570 certification in accordance with the Harvest Operator Qualification Program. However, this inspector did not have a current Abnormal Operating Conditions (AOC) training certificate. The inspector instead brought an individual with an AOC certification due to a misunderstanding of span of control in an attempt to cover for the AOC.

Harvest has updated the Operator Qualification program to clarify that there is no span of control for AOCs so that all personnel conducting work on DOT-regulated pipelines obtain an AOC certificate regardless of whether they have other task specific AOC training or not.

Please feel free to contact me directly at (907) 777-8310, or at Harold.Colgrove@harvestmidstream.com with any other questions you may have regarding these matters.

Sincerely,

Harold Colgrove, P.E.
Integrity and Regulatory Compliance Manager, Harvest Alaska

cc (by-email): David Hassell, Operations Supervisor (PHMSA)
 Christopher Lyon, Engineer / Inspector (PHMSA)
 Nancy Turner, (PHMSA)
 Andrew Limmer, Vice President (Harvest Alaska)
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